

# LAND RECLAMATION COMMISSION

## STATE OF MISSOURI

P.O. BOX 176  
JEFFERSON CITY, MISSOURI 65102  
573-751-4041

### Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

### SCHULTZ SAND & GRAVEL

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand and gravel in the state of Missouri. The extent of the


Proposed mining operation(s) will be on 225 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Expansion

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Benton	21, 27, 28	41N	21W	0	136	136	Cole Camp Creek #152	0625
Benton	16	41N	21W	0	89	89	Cole Camp Creek #89	2026

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 2nd day of March 2004

  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0668-A1  
Effective Date 03/02/2004  
Expiration Date 08/12/2004

RECEIVED RECEIVED

AUG 29 2003

FEB 2 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

MISSOURI LAND RECLAMATION COMMISSION  
P.O. BOX 176  
JEFFERSON CITY, MO 64601-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL

Schultz Sand and Gravel

8-01-03

ADDRESS

Rt 2 Box 75 G

CITY

Lincoln

STATE

MO

ZIP CODE

65338

CONTACT PERSON

Robert Schultz or Donna Plybon

TELEPHONE NUMBER

660-668-3847

CHECK ANY THAT APPLY:

☐ New Permit ☐ Permit Amendment ☐ Permit Revision ☒ Permit Expansion

SITE NAME OR NUMBER	ACREAGE	LOCATION:			
		COUNTY, SECTION, TOWNSHIP, RANGE (EAST OR WEST)			
1. Cole Camp Creek Site #152	136	Benton	21, 27, 28	41N	21 W
2. Cole Camp Creek Site # 89	89	Benton	16	41N	21 W
3.					
4.					
5.					
6.					
7.					
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9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					

ATTACH ADDITIONAL SHEETS IF NECESSARY

SIGNATURE OF APPLICANT

*Robert Schultz*

TITLE

Owner

DATE

8-03-03

Appeared before me this 13th day of August 2003,  
to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSE

STATE

Missouri

COUNTY (OR CITY OF ST. LOUIS)

Benton

SUBSCRIBED AND SWORN BEFORE ME, THIS

13th DAY OF August

YEAR 2003

NOTARY PUBLIC SIGNATURE

*Margaret R. Duff*

MY COMMISSION EXPIRES

Aug 1, 2005

NOTARY PUBLIC NAME (TYPED OR PRINTED)

Margaret R. Duff

USE RUBBER STAMP IN CLEAR AREA BELOW

FOR DEPARTMENT USE ONLY: APPROVED BY

*Michael J. Whitt*

DATE APPROVED

2-9-04

PERMIT NUMBER

0668

EXPIRATION DATE

8-12-04



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**SITE INFORMATION**

RECEIVED

AUG 29 2003

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

MISSOURI LAND  
RECLAMATION COMMISSION

Complete this form for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER Cole Camp Creek Site # 89		PERMIT NUMBER 0668
COMPANY Schultz Sand & Gravel		
COUNTY Benton	1/4	SECTION 16
TOWNSHIP 41N	RANGE 21W	ACRES 89
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) Cole Camp Creek		
MINERAL COMMODITY Sand and Gravel		ESTIMATED TONS/YEAR (GRAVEL SITES) Less than 5,000

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Gus Schultz	Robert Kullman	Bruce Owens
ADDRESS Rt. 3 Box 3210 Lincoln, MO 65338	504 W. Main Cole Camp, MO 65325	Rt. 3 Box 3205 Lincoln, MO 65338
CITY Lincoln Cole Camp	STATE MO	ZIP CODE 65338
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input checked="" type="checkbox"/> OTHER (DESCRIBE): Written Contract		DATE OF AGREEMENT

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Same as above named		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**SITE INFORMATION**

RECEIVED

AUG 29 2003

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

Complete this form for each separate area of disturbance associated with mining operations. MISSOURI LAND RECLAMATION COMMISSION		
SITE NAME OR NUMBER Cole Camp Creek Site # 152		PERMIT NUMBER 0668
COMPANY Schultz Sand and Gravel		
COUNTY Benton	1/4 SECTION	SECTION 21, 27, 28
TOWNSHIP 41N	RANGE 21W	ACRES 152 136 WSE + D.P. 2-4-04
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) Cole Camp Creek		
MINERAL COMMODITY Sand and Gravel		ESTIMATED TONS/YEAR (GRAVEL SITES) Less than 5,000

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Robert Schultz		
ADDRESS Rt. 2 Box 75 G		
CITY Lincoln	STATE MO	ZIP CODE 65338
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Same as above		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL		

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES

LAND RECLAMATION COMMISSION

STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)4.

RECEIVED

AUG 29 2003

MISSOURI LAND  
RECLAMATION COMMISSIONP.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

## TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR☒ LONG TERM, FOR PERIOD THROUGH DATE: December 31, 2103 COMPANY NAME Schultz Sand & Gravel

## DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

The Sand & Gravel removal area involves numerous acres on several gravel bars throughout Cole Camp Creek. The stretch of creek is bordered by crop land, hayfields, tree lined banks and high tree lined bluffs. The banks are steep in some areas but some are eroded from flooding. Most of the banks are well vegetated but the crop and hay ground banks are erodible and less vegetated. The water quality is good. During flooding periods the water will become murky from upstream erosion of cropland. The water level is unpredictable. The exposed gravel bars we intend to mine are loosely packed and no Permanent vegetation exists. There are some weeds that appear in late summer, but die out in winter to early spring and some wash out from flooding periods. There are already private roads for haul roads and majority of the gravel bars already have entry's. The ones that need access have open areas for access without damaging vegetation. Some of the gravel bars have been mined going back to the 1950's, before permits were required.

## DESCRIBE METHODS USED TO RESTRICT DAMAGE TO STREAM BANKS OR STREAM BANK VEGETATION.

Excavation between the stream banks will be managed so that the stream channel will not be effected or redirected. An undisturbed buffer of 10 feet will be maintained between the gravel removal and around the outside perimeter of each gravel bar and 10 feet undisturbed vegetation on stream bank.

## DESCRIBE METHODS USED TO MINIMIZE IMPACTS ON THE STREAM ENVIRONMENTS, CONFINING ACTIVE MINING OPERATIONS TO THE GRAVEL BARS RATHER THAN FLOWING WATER AND RESTRICTING HAUL ROADS THROUGH FLOWING WATER

Gravel removal will be restricted to gravel bars only which are all exposed. We will excavate the exposed part of the gravel bar to a depth no deeper than the lowest normal water level as the level fluctuates frequently. If water appears in our equipment tracks we will not excavate any deeper. All of our haul roads are located outside the exposed gravel bars except that part we travel for entry and loading. We shouldn't have to cross any stream to get to the gravel bars but if necessary at some point in time, we will restrict crossing at only a point in the stream where there is a ripple and only in one designated area. This will avoid causing erosion and up-stream headcuts and minimize impacts on the stream environment.

## DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES OR OTHER INFORMATION

Gravel removal will be done in periods of low flow so there will be no destruction of streamside vegetation and an undisturbed buffer of 10 feet will be left on the flowing portion of the stream. Most areas are going to be prone to flooding from rains so if there are areas that cause wash-throughs we will try and maintain a berm like structure as to not cause any change in stream flow and minimize any sediment passing through after a rise in water level.

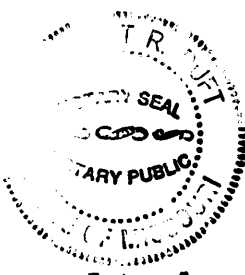
RECEIVED

AUG 29 2003

MISSOURI LAND  
RECLAMATION COMMISSION

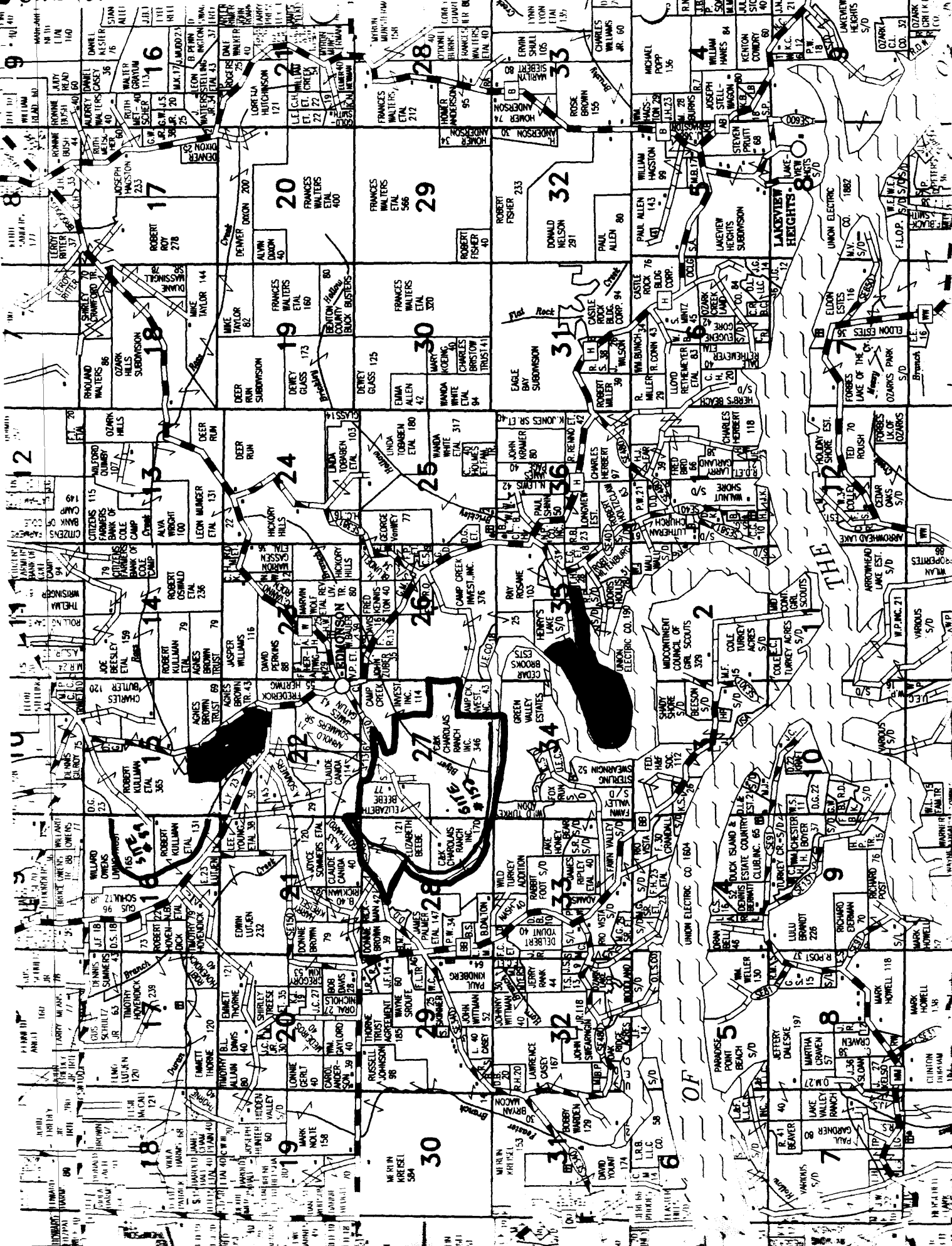
By my signature, I attest to the following:

- 1) All statements made in this Stream Protection Plan form are correct, complete and true to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to protect the stream environment and remove sand and gravel in accordance with this plan, and in accordance with *The Land Reclamation Act* Sections 444.760 through 444.790, RSMo (Supp. 2001), and all rules, regulations, orders, decisions, and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operation.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT <i>Robert Schmitt</i>		TITLE Owner		DATE 08- <del>03</del> -03
NOTARY PUBLIC EMBOSSEER SEAL 	STATE <i>Missouri</i>		COUNTY (OR CITY OF ST. LOUIS) <i>Benton</i>	
	SUBSCRIBED AND SWORN BEFORE ME, THIS <i>13<sup>th</sup></i> DAY OF <i>August</i> 20 <i>03</i>		USE RUBBER STAMP IN CLEAR AREA BELOW	
	NOTARY PUBLIC SIGNATURE <i>Margaret R. Duft</i>	MY COMMISSION EXPIRES <i>Aug 1, 2005</i>		
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>Margaret R. Duft</i>			
FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>		DATE APPROVED <i>2-27-04</i>		PERMIT NUMBER <i>0668-A1</i>

Township 41 N RANGE 21 W  
SITE #89 + SITE #152 SECTIONS 16, 21, 27, 28

● Property line  
● PERMITTED CREEK AREA



BENTON COUNTY, MISSOURI  
1997 PLAT

NEOSHO RIVER

Township 41N Range 21W Section 16 PONTON COUNTY, MISSOURI

Property Owner:  
Bruce Owens

16 15

Property owner  
Gus Schultz

Property Owner  
Robert Kullman

STATE ROAD H



++ PERMIT BOUNDARY

1 INCH = 660 FEET

MAP PREPARED 8/8/03  
BY JIM FREEBURGER  
660-547-2351

COUNTY ROAD SE150

Schultz Sand & GRAVEL  
PERMIT # 0668

COLE CAMP CREEK SITE # 89

Locator Map



Township 41N Range 21W Section 14 JENTON COUNTY, Missouri

Property Owner:  
Bruce Owens

16 15

Property owner:  
Bus Schultz

Property owner:  
Robert Kullman

PERMIT AREA = 89 ACRES



ROADS WITHIN 100 FEET  
PERMIT BOUNDARY  
CREEKS WITHIN 100 FEET  
SECTION LINES  
Property Lines  
1 INCH = 660 FEET

MAP PREPARED 8/7/03  
BY JIM FREEBURGER  
660-547-2351

STATE ROAD H

Schultz Sand & GRAVEL  
PERMIT # 06068

COLE CAMP CREEK SITE # 89

DETAIL MAP

DETAIL MAP: Schultz Sand & GRAVEL BENTON COUNTY, MISSOURI

COLE CAMP CREEK SITE # 152

TOWNSHIP 41N RANGE 21W SECTIONS 21, 27, 28

